

**DETAILED ACTION**

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Leonard R. Svensson, Reg. No. 30,330 on 13 July 2010.

The application has been amended as follows:

**IN THE CLAIMS:**

Claim 9. (Currently Amended) A fusion polypeptide ~~according to claim 8-~~ comprising at least one fusion partner and at least one substantially pure polypeptide, wherein said substantially pure polypeptide is selected from the group consisting of a short peptide of at least seven consecutive amino acids and at most 10 consecutive amino acids, an oligopeptide of at least 11 consecutive amino acids and at most 100 consecutive amino acids and a longer polypeptide of at least 101 consecutive amino acids and at most 150 consecutive amino acids, wherein said substantially pure polypeptide comprises a) an amino acid sequence encoded by a member of the *esat-6* gene family, b) or comprises an amino acid analogue having a sequence identity with a polypeptide encoded by a member of the *esat-6* gene family of at least 94%, wherein b) is immunologically equivalent to the polypeptide encoded by a member of the *esat-6* gene family, with the proviso that the substantially pure polypeptide is not selected from the group consisting

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of Rv0287, Rv0288, Rv1037c, Rv1038c, Rv1197, Rv1198, Rv1792, Rv1793, Rv2346c,  
Rv2347c, Rv3019c, Rv3619c, Rv3620c, Rv3874, and Rv3875, and,

wherein the fusion partner is selected from the group consisting of a polypeptide as defined in any one of claims 1-3 and 5-7, and another polypeptide from a bacterium belonging to the tuberculosis complex, such as ESAT-6 or at least one T-cell epitope thereof, TB10.4 or at least one T-cell epitope thereof, and MPT59 or at least one T-cell epitope thereof.

2. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Rodney P. Swartz, Ph.D., Art Unit 1645, whose telephone number is (571) 272-0865. The examiner can normally be reached on Monday through Wednesday from 9:00 AM to 7:30 PM EST. Thursday is the examiner's work at home day.

If attempts to reach the Examiner by telephone are unsuccessful, please contact the Examiner's Supervisor, Robert B. Mondesi (571)272-0956.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Rodney P. Swartz, Ph.D./

Primary Examiner, Art Unit 1645

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